

**CHAPTER V
ELIGIBILITY AND EMPLOYMENT LISTS**

5.1 ESTABLISHMENT AND LIFE OF ELIGIBILITY LISTS

- A. **DURATION OF ELIGIBILITY LISTS.** An eligibility list shall be in effect for a period of one year, unless exhausted, and may be extended for up to an additional year by the Commission. Names of successful competitors may be added to the eligibility list by the Commission.
1. The Commission may approve the establishment of an eligibility list for a period of six (6) months when announced on the recruitment bulletin for the examination.
 2. When fewer than three (3) ranks of available eligibles remain on an eligible list and the appointing authority has requested certification of three (3) ranks, the list may be terminated by the Executive Officer and a new recruitment initiated.
 3. If a list is to be abolished before its scheduled date of expiration, notices of intention to abolish an eligibility list shall be sent to all eligibles. Any person who desires to retest for the class must file a new application in accordance with application procedures.

Reference: California Education Code 45300

- B. **ESTABLISHMENT AND CERTIFICATION OF ELIGIBILITY LISTS.** Unless specifically authorized in the rules, all appointments to positions in the classified service shall be made from eligibles whose names appear on eligibility lists. The Executive Officer shall be responsible for establishing eligibility lists as a result of examination processes authorized by these rules after the review and protest period has passed. All eligibility lists shall be certified at the first reasonable opportunity at a Commission meeting following the protest and review period. To facilitate the orderly process of business, the Executive Officer may submit eligibility lists for ratification.

Reference: California Education Code 45272, 45300

- C. **AVAILABILITY OF ELIGIBILITY LISTS FOR MAKING APPOINTMENTS.** Excluding lists for continuous testing classes, no eligibility list shall be effective or available for making regular appointments until any protest or appeals received during the examination review period are resolved, unless specifically authorized by the Personnel Commission.

Reference: California Education Code 45274

- D. **TO REMAIN ON ELIGIBILITY LISTS.** Any person whose name is on an eligibility list at the time of expiration and who desires to remain on an eligibility list for that class may

file a new application when the next recruitment is open and participate in the examination process.

5.2 RE-EMPLOYMENT LISTS

There shall be established for each class a re-employment list of which shall take precedence over all other employment lists in appointment. This list shall contain the names of all permanent classified service employees who have been laid off, demoted or have taken voluntary reductions in assigned time from any position because of lack of work or lack of funds.

Reference: California Education Code 45298

5.3 RECLASSIFICATION OF RE-EMPLOYMENT AND ELIGIBILITY LISTS

The reclassification of all positions in a class shall automatically reclassify the re-employment list for that class. The Executive Officer shall also review the appropriateness of the current eligibility list for the class, if any, and determine whether or not it should be reclassified.

5.4 ELIGIBILITY LISTS

A. **PRECEDENCE OF LISTS.** Appointments to limited term positions shall be made from appropriate eligibility lists for the class in the following order: first, from the re-employment list; second, from the promotional eligibility list; and third, from the open eligibility list in the order of rank on such lists and the willingness of the eligibles to accept such employment.

Reference: California Education Code 45286

B. **ELIGIBILITY FOR REGULAR APPOINTMENT.** Acceptance or rejection of a limited term assignment shall not affect eligibility for regular assignment when the eligible's name is reached on the re-employment or eligibility list.

C. **LIMITED TERM STATUS.** All limited term employees on such lists whose eligibility for regular assignment expires shall retain their limited term status provided they maintain satisfactory service ratings, unless dismissed for cause or for failure to accept three consecutive offers of assignment.

D. **EXAMINATIONS FOR LIMITED TERM POSITIONS.** In the event no person is available for limited term assignment from re-employment or eligibility lists, examinations may be conducted to establish eligibility lists for limited term appointment only. The Commission, at its discretion, may designate simplified examination procedures for establishing such lists. No person shall attain permanent status in the classified service as a result of appointment from an eligibility list created for limited term assignments only.

E. **LIMITED TERM ELIGIBILITY LISTS.** Persons whose names have appeared on eligibility lists may elect to accept limited term assignments only rather than permanent

positions, and the Commission may place their names on the appropriate limited term eligibility list.

- F. **ELIGIBILITY OF RESIGNED REGULAR EMPLOYEES.** Regular employees who resigned in good standing may, within 39 months of the effective date of resignation, with the approval of the commission be placed upon the limited term eligibility list for any classification in which they had held permanent status. Such persons may not acquire permanent status as the result of appointment from such limited term eligibility lists.

5.5 REMOVAL OF NAME FROM LIST

Dismissal of a limited term employee for cause shall be sufficient reason for removal of the person's name from the re-employment or eligibility list for that class. Other causes for removal from the list are as set forth in Section 4.2 of the Rules and Regulations of the Classified Service.

Combinations of successive eligibility lists may be made during their first year. Eligibles on lists established within the first year of the life of another list may be placed in the order of their relative excellence in the examination on the like list, if lists so merged have been promulgated under conditions and techniques which are sufficiently similar to preserve their competitive character.

When an eligible's name appears in more than one place on the eligibility list, the employee shall be certified in accordance with the highest standing and shall be available for that standing only.

When lists are merged, the candidates on the earlier list who have retained their scores shall be terminated on their originally scheduled expiration date.

Reference: California Education Code 45291